



The Lincoln Kinsman

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THE UNKNOWN HANKS ANCESTRY KINSMEN OF NANCY HANKS LINCOLN UNIDENTIFIED

THE SOLE representative among the maternal forebears of Abraham Lincoln, whose identity cannot be questioned beyond a doubt, is Nancy Hanks Lincoln, the mother of the President. After seventy-five years of biographical effort this one lone woman remains as the only individual whose place among the Hanks ancestry is thus far made certain. Any other Hanks, male or female, who has claimed kinship with Lincoln through the Hankses has done so on purely traditional grounds.

In vivid contrast to this picture is the complete and orderly arrangement of the Lincoln forbears in the paternal ancestry which reaches back through seven generations to the year 1637. Hundreds of Americans know of their relationship to Abraham Lincoln through his father but with due respect to all of the many so-called Hanks cousins, not one single relative on the mother's side of the house has been able to present a satisfac-

tory, duly authorized record to prove his kinship to the President.

If any progress is to be made in identifying the Hanks ancestry, it is quite evident that the problem must be attacked through an entirely new approach. Evidently it would be expedient to discount for this discussion all traditional statements and folk lore with reference to the Hankses as they are in hopeless confusion. It also seems necessary to set aside the President's own alleged statements as well as his written testimony about his mother, as she died when he was but nine years old and what he knew about her people, apparently came to him from other lips.

If we make the public records instead of folk lore and tradition fundamental, evidently we will be making a new approach. The usual procedure has been to take some family tradition or a bit of gossip as an established fact and then make the public records bend to the will of tradition and be-

come subordinate to it. We trust that in this discussion of the official documents, copies of which are to be displayed and examined, they may be taken for their face value with no attempt to make them harmonize with any theory or supposition about the relatives of Nancy Hanks.

Minister's Marriage Returns

The first document of importance in the Hanks inquiry is the official return of the minister who married the President's parents. On February 7, 1803, a permit "to solemnize the rites of marriage" was issued by the county clerk of Washington County, Kentucky, to "Jesse Head, a minister of the gospel of the Methodist Church."

It was obligatory for each minister to make periodically, reports of the weddings at which he had presided. On April 22, 1807, Jesse Head deposited the following certificate of marriages which is now on file in the Washington County clerk's office.

Washington County

I do hereby certify that the following is a true list of Marriages Solemnized by me the subscriber since the 28th of April 1806 until the date hereof.

June 26th 1806 joined together in the Holy Estate of Matrimony agreeable to the rules of the M. E. C.

Morris Berry and Peggy Simms.

Nov 27th 1806 David Mize & Hanah Xter
March 5 1807 Charles Ridge & Anna Davis

March 24 1807 John Head & Sally Clark
March 27th Benjamin Clark & Dolly Head

Jany 14th Edward Pyle & Rosanah McMahon

Decr 22nd 1806 Silas Chamberlin & Betsey West

June 17th 1806 John Springer & Elizabeth Ingram

June 12th 1806 Thomas Lincoln & Nancy Hanks

September 23rd 1806 John Cambron & Hanah White

October 2nd 1806 Anthony Lypey & Keziah Putte

October 23rd 1806 Aaron Harding & Hanah Pollet

April 5th 1807 Daniel Payne & Christiana Pierce

July 26th 1806 Benjamin Clark and Polly Clark

May 1806 Hugh Hoskins & Betsey Dyer

September 25th 1806 John Graham and Catherine Jones

Given under my hand this 22 day of April 1807

JESSE HEAD, D. M. E. C.

(Marriage Certificates, Washington County Court.)

There can be no doubt but what Abraham Lincoln's mother, Nancy Hanks, was married to Thomas Lincoln by a licensed minister on June 12, 1806. One other conclusion can be drawn from this document—that Washington County, Kentucky, was the home of the bride. The wedding was solemnized in Washington County where the return was made and from which county court a license had been issued for the performance of the ceremony. An early statute required that a license could only be issued by the clerk of the county "where the female usually resides."

The Marriage Bond

Early marriage laws in Kentucky required that a bond should be given previous to the issuing of a license which was usually signed by the prospective bridegroom and the bride's father or guardian. To such a bond Thomas Lincoln and Richard Berry subscribed on June 10, 1806. Berry signed as the guardian of Nancy

Hanks. The bond which was witnessed by John H. Parrott follows:

Lincoln to Commonwealth—Bond. Know all men by these presents that we Thomas Lincoln and Richard Berry are held and firmly bound unto his excellency the Governor of Kentucky for the just and full sum of fifty pounds current money the payment of which will and truly be made to the said governor and his successors, we bind ourselves our heirs, etc. jointly and severally firmly by these presents sealed with our seal and dated the 10th. day of June 1806. The condition of the above obligation is such that whereas there is a marriage shortly intended between the above bound Thomas Lincoln and Nancy Hanks for which a license has been issued. Now if there be no lawful cause to obstruct the said marriage then this obligation to be void or else to remain in full force or virtue in law.

Witness

JOHN H. PARROTT

THOMAS LINCOLN

RICHARD BERRY
garden

(Marriage Bonds 1806, Washington
County Court).

Richard Berry signed the bond as the guardian of Nancy Hanks. This fact would indicate first of all that she had not been married before, as guardianships terminated with marriage. Therefore, Nancy's maiden name was Hanks. The guardianship, also indicates that her father was not available as a bondsman and presumably dead which would be the natural conclusion to draw. The Kentucky Statutes on the appointment of guardians follows:

"In appointing a guardian, the court shall pay proper attention to following order of precedence in right, and not depart, therefrom, un-

less it deems that prudence and the interest of the infant so require:

"First, the father, or testamentary guardian of his appointing.

"Secondly, the mother, if unmarried; and

"Thirdly, the next of kin, giving preference to males."

With the father not available as guardian, the mother would be next in line for the appointment if unmarried. The fact that she was not serving as guardian would imply that she was either dead or married again. This brings us to the next legal alternative for guardian; "the next of kin preference given to males." Unless we are to introduce some exception to the general procedure, it is evident that Richard Berry was as close a male kinsman as Nancy Hanks could claim at that time. This would imply that there were no men by the name of Hanks then living in the state who were more closely related to Nancy Hanks, and eligible for the office of guardian, than Richard Berry.

From the Thomas Lincoln-Nancy Hanks marriage papers we may safely conclude that Nancy Hanks was an orphan child living in Washington County, Kentucky, under the guardianship of a kinsman named Richard Berry.

The Lucy Hanks Presentment

The editor of *The Lincoln Kinsman* discovered in the records of the Mercer County courthouse some years before the publication of his *Lincoln's Parentage and Childhood* in 1926, a report of the grand jury of

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Mercer County, Kentucky, for November 24, 1789. The jury was composed of Lewis Holmes, Joseph Davis, Beverly Mason, John Berry, David Prewitt, James Harrod, John Haggin, John Mahan, George Bohannon, John Robinson, Henry French, and Parmeneas Briscoe. The grand jury in its report cited "Lucy Hanks for Fornication." One of the members of the grand jury whom we would especially note was John Berry.

It is evident from subsequent records that Lucy Hanks did not obey a summons to appear before the court. The case continued on the docket until May 25, 1790, when it was dismissed with this comment, "Upon presentment. For reasons appearing to the court the suit is ordered to be discontinued." A presentment carries with it no proof of guilt and Lucy Hanks was never convicted on this presentment.

If Lucy had been living as the free law wife of a pioneer, a custom which was not unusual in the wilderness, her social relationship in the meantime was so adjusted that the court apparently seemed satisfied with certain procedures which had taken

place and which removed any complaint against her. Just previous to the May term of court in 1790, Lucy Hanks was taking the necessary steps to consummate marriage vows with Henry Sparrow. This marriage presumably had something to do with the action of the court as Lucy was already a married woman at the time the court convened. If there were any irregularities in the behavior of Lucy Hanks the court did not so find.

Lucy Hanks Affirmation

Preliminary to the issuing of a marriage bond it was necessary for Lucy Hanks to make some affirmation as to her age and her willingness for the marriage license to be issued to Henry Sparrow. A copy of the following note is reproduced in facsimile on the opposite page:

"I do Sertify that I am of age and give my apprebation freely for henry Sparrow to git out Lisons this or eny other day given under my hand this day April 26th 1790.

"Test

"Robert	doy
"michel	Lucy
"John berry	Hanks"

(Mercer County, Kentucky, Court Marriage papers.)

We trust that as we discuss the details of the Lucy Hanks affirmation and call attention to the letters "doy", found on the paper, our readers will not feel that too much emphasis is being placed on what might appear to be a trivial notation and that a mountain is being made from a mole hill.

In two of the three signatures inscribed on the note the sur-name is placed under the given name. If there should be a further addition to either

of these signatures it might naturally be found in the line above or the line below the signatures as sequence would demand. The letters "doy" were evidently to be associated with the name "Lucy" and the concluding upward stroke of the "y" in "doy" allowed the writer to guide the pen without change or deviation to the beginning stroke of the capital "L" in Lucy. If this word "doy" had been "Miss" or "Mrs." there would never have been any discussion as to the propriety of its use as far as position was concerned but it is not either of

tificial light for photographing and for thirteen years has been on display from time to time. The editor of this bulletin saw this manuscript not long after it was discovered, and observed certain dim marks just before the letters "doy" which appeared to him to be "wi" and which caused him to question whether or not the signature as originally written was "widow Lucy Hanks."

The writer at no time has expressed the opinion that the dim markings plus the word "doy" presents positive evidence that Lucy Hanks was a widow and he does not now so express himself. He does object, however, to changing the word "doy" to "day," placing it in position after "th" two lines above and then completely removing from the text a plainly written word "day" already in the proper place, to make room in the line for the newly created word. (See *The Lineage of Lincoln* by Barton, p. 354.) Those who have concluded that the letters "doy" is "day" and belongs to the date line above have but to try and fit it into that line to see the absurdity of the claim.

It will be observed that one of the witnesses on this certificate was John Berry who had also been a member of the grand jury bringing the presentment against Lucy. This John Berry was an older brother of Richard Berry, the guardian of Nancy Hanks. Does the appearance of the names of two brothers, one on the marriage bond of Nancy Hanks and the other on two documents referring to Lucy Hanks, suggest that there may

*I do solemnly swear
I am and give my solemn
oath
before you for having
I promise to get out of town
this evening other than
given me in my hand
this day April 26 1870
John H. Berry
Robert H. Berry
John H. Berry*

The Lucy Hanks Affirmation.

these forms of address. There is one other form appropriate and often used on such certificates for clearness and identification. It is the title "widow".

When the original manuscript was discovered, it had probably not been exposed to light for one hundred and thirty-five years. It was shortly thereafter removed from the archives, without authority, exposed to brilliant ar-

have been some relationship between the Nancy Hanks and the Lucy Hanks in question?

Lucy Hanks married in 1790 and was above twenty-one years of age at that time. Nancy Hanks married in 1806 and was the ward of a guardian. There was likely a difference of at least sixteen years in their ages. Our quest has been to find another Hanks woman in the general location where Nancy Hanks lived who might be her mother but who would not be eligible to serve as a guardian of her child because of a second marriage. Here we find a woman who is evidently closely associated with John Berry, brother of Richard Berry, a relative of Nancy Hanks and her guardian.

The Daniel Affidavit

On the same day that the Lucy Hank's affirmation was signed, Henry Sparrow secured his license to marry Lucy. It was obligatory for the parents or guardian to sign an affidavit giving the age of the prospective bride in case no previous marriage had been contracted. One would imply that Lucy had been married before inasmuch as neither her parents nor a guardian signed the important instrument. As was often the case with respect to widows, however, a relative or an acquaintance was allowed to sign such an affidavit if they knew the party to be of age. In this case the prospective brother-in-law, John Daniels, signed the certificate which follows:

"I hereby certify that Lucey Hanks is of full age. Given from under my

hand this 26th day of April 1790.

"Test

"Nat. Owens

"His

"JOHN X DANIEL

"Mark"

The Henry Sparrow Bond

We have already stated that it was necessary for a bond to be signed by the prospective groom and the father or guardian of the bride, if such were living. Where one had been married before or was over age with no parent or legal guardian available, any one who would be willing to take upon himself the obligation of a bondsman was accepted. Here, John Daniel, again served in lieu of any Hanks men acting in this capacity. The bond witnessed by Nat. Hart and signed by Henry Sparrow and John Daniel is made out on the same form as the Lincoln-Berry marriage bond.

The signature of John Daniel on the marriage bond and also the affidavit swearing to the age of Lucy Hanks apparently presents conclusive proof that Lucy was not an unmarried daughter of Joseph and Nancy Hanks who were still living not far away in an adjacent county. Most certainly Joseph would have been required to sign the bond. The absence of any Hanks name on the marriage papers of either Nancy Hanks or Lucy Hanks is not a mere coincident.

The Sparrow-Hanks Marriage Certificate

Several years after the writer had discovered the Lucy Hanks presentment while doing research work in

the Mercer County courthouse, he also discovered the marriage certificate signed by the minister who married Henry Sparrow and Lucy Hanks. Here is a copy of the certificate.

"Mercer County Sct.

"These are to lisenice and permit you to join together in the holy state of matrimony Henry Sparrow and Lucey Hanks according to the rites and ceremonies of your church and for so doing this shall be your sufficient warrant given under my hand this 26th day of April 1790.

"J. A. SPEED.

"To any minister of the gosple legally authorized to solemnize the rites of matrimony."

The endorsement on the back of the certificate is very dim and it appears as if there are two words illegible in the first line before "joined" and there is also evidence of illegible words in the second line between "Sparrow" and "Lucey" as indicated by the dashes. A copy of the endorsements follow.

Endorsements

(a) April 1790 recorded

(b) April 30, 1790

- - - joined in matrimony Henry Sparrow - - Lucey Hanks
John Bailly

The discovery of this certificate is important in that it shows Henry and Lucy were married on April 30, 1790, just four days after the bond was issued. One biographer concluded they were not married until April 3, 1791, and that Lucy was placed on a year's probation by Henry Sparrow before he married her.

We may conclude from these papers of Lucy Hanks; that she lived at one time not far from where Nancy Hanks was married; that she was acquainted with John Berry, brother to the guardian of Nancy; that she had probably been married before, inasmuch as no Hanks names appeared on

papers where we would expect to find them; and her maiden name was not Hanks.

The Joseph Hanks Will

The only other Hanks document which might seem to have some direct bearing on the problem of Nancy Hanks' kinsmen is the will of Joseph Hanks on file in the archives of the Nelson County courthouse. This important document is printed in full.

In the name of God Amen. I Joseph Hanks of Nelson County, State of Kentucky, being of sound mind and memory, but weak in body and calling to mind the frailty of all human nature do make and devise this my last will and testament in the manner and form following, to wit;

Item. I give and bequeath unto my son Thomas one sorrel horse called "Major."

Item. I give and bequeath unto my son Joshua one gray mare called "Bonny."

Item. I give and bequeath unto my son William one gray horse called "Gilbert."

Item. I give and bequeath unto my son Charles one roan horse called "Dove."

Item. I give and bequeath unto my son Joseph one sorrel horse called "Bald."

Item. I give and bequeath unto my daughter Elizabeth one heifer yearling called "Gentle."

Item. I give and bequeath unto my daughter Polly one heifer yearling called "Lady."

Item. I give and bequeath unto my daughter Nancy one heifer yearling called "Piedy."

Item. I give and bequeath unto my wife Nancy all and singular my whole estate during her life. Afterwards to be equally divided between all my children.

It is also my will and desire that the whole of property above bequeathed should be the property of my wife during her life.

And lastly I constitute ordain and appoint my wife Nancy as Executrix of and Executrix to this my last will and testament.

Signed sealed and delivered in the presence of us this eight day of January, one

thousand seven hundred and ninety-three.

his
JOSEPH X HANKS [SEAL]
mark

ISAAC LANSDALE
JOHN DAVIS
PETER ATHERTON

Endorsement

"At a court begun and held for Nelson County on Tuesday the fourteenth day of May, 1793. The last will and testament of Joseph Hanks, dec'd, was produced in court and sworn to by William Hanks, one of the executors therein named and was proved by the oaths of Isaac Lansdale and John Davis, subscribing witnesses thereto, and ordered to be recorded.

"Attest. Ben Grayson, Clerk."
(Will Book A, p. 107, Nelson
County Court)

When Caroline Hanks Hitchcock first discovered this document it is quite natural that when she came upon the name Nancy Hanks among Joseph Hanks' children, she immediately concluded that the girl who married Thomas Lincoln nine years later was this same Nancy Hanks. All three of these daughters of Joseph Hanks have been accounted for as wives of other men and no one of them could have been the mother of Lincoln. We now know that the Nancy Hanks who is named in this will married Levi Hall.

Failing to find Nancy, Abraham Lincoln's mother, among the children of Joseph Hanks, we immediately note there is also no mention of a daughter by the name of Lucy. The will of Joseph Hanks was made eight months after the marriage of Lucy to Henry Sparrow and at least two children had been born to them before Joseph finally passed away. Joseph states explicitly that after the death of his wife, his estate is to be "equally divided between all my children" and the implication is very clear that "all" those children have been named and have already received some bequest. To attempt to make Lucy Hanks, then married to Henry Sparrow, an own daughter of

Joseph Hanks, in the face of this duly authorized will, is preposterous.

We do know, however, that Lucy Hanks Sparrow did become the sister-in-law of one of Joseph Hanks daughters in 1796 when Elizabeth Hanks married Thomas Sparrow, brother of Henry Sparrow.

The absence of Joseph Hanks' name or the names of any of his sons on the Lucy Hanks papers should be sufficient proof that she was not of that family. Further, no one of Joseph Hanks' children was serving as a guardian of Nancy Hanks or signed her marriage bond.

There is no duly authorized document, of which we are aware, that proves Nancy Hanks Lincoln to be the daughter of Lucy Hanks, although the records exhibited would make both of them eligible for such a relationship. Thus, the first step in tracing the maternal ancestry of Lincoln has been made on a pure assumption. There is a duly authorized public record on file, however, which proves conclusively that Lucy Hanks was not the daughter of Joseph Hanks and no theory built on any premise which sustains that she was his daughter, can stand in the light of the Joseph Hanks' will and contemporary documents. Thus, the second step in Hanks' genealogy has also been taken by boldly setting aside the public records and building an argument on folklore and tradition.

One biographer has given the larger part of his four hundred page book to a discussion of the Hanks ancestry. Yet nowhere does he submit documentary proof of actual relationship between any two of the five generations which he brings together. With his evidence carefully weighed, the fact still remains that Nancy Hanks Lincoln, even now, is the only known representative of Abraham Lincoln's maternal ancestry.